



MONTGOMERY COUNTY ETHICS COMMISSION

Rahul K. Goel
Chair

Steven Rosen
Vice Chair

March 11, 2019

Waiver 19-03-002

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver. Section 19A-8(b)(3) states that the Ethics Commission may grant a waiver of this prohibition if the Commission concludes that the outside employment will not be likely to create an actual conflict of interest.

Celeste Amadei is a Community Health Nurse II with the Public Health Services (PHS) Division, School Health Services Section at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in short-term outside employment as a contract psychotherapist with the Sexual Abuse Treatment Unit (SATU) within the Child Welfare Services (CWS) Division at DHHS. Because she seeks to work as a contractor with her County agency, she must seek a waiver of the prohibitions contained within the Public Ethics Law regarding being employed by an entity (in this case, herself) that negotiates or contracts with her County agency.

As a Community Health Nurse II with PHS, Ms. Amadei manages the health care of students and coordinates those activities necessary to promote health and safety of high school students. She engages in case management, provides health services, and advocates for the health rights of students. She plans and implements primary, secondary and tertiary interventions for students. She also provides wellness and prevention education for students. In her official County role, she has no contract procurement or monitoring functions.

Ms. Amadei is a licensed clinical psychologist with a minor in health psychology. In her role as a contract psychotherapist, she counsels and educates parents about sexual abuse. She helps clients understand what child sexual abuse is, how victims are impacted, and how to prevent further sexual abuse from happening. The objective is to assist the client in designing and developing a safety plan and preventing revictimization. The population served is the non-offending parents of children who have been sexually abused.

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850
OFFICE: 240.777.6670 FAX: 240.777.6672

Clients of Ms. Amadei's contract psychotherapist activity with the SATU within the CWS could, theoretically, "crossover" from her position as a Community Health Nurse II or crossover from her psychotherapist activity to her position as nurse. In the event there are crossover clients, Ms. Amadei states that she will be able to ask a colleague to address the matter instead of her.

In 2018, the previous psychotherapist providing the services that Ms. Amadei is being contracted to provide suggested that Ms. Amadei apply for this part time, short term psychotherapist role. Subsequently, she contacted the supervisor at the Sexual Abuse Treatment Unit of DHHS and sent her a resume. Ms. Amadei was selected out of a pool of potential candidates. (Ms. Amadei has been working with child sexual abuse survivors, advocates and health providers in many capacities and with many employers throughout her career.) The contract position lasts twelve weeks, with one session a week for less than two hours each session.

Aside from the remote possibility of crossover clients, the contractor position has no relationship to her position as a Community Health Nurse II with DHHS. Ms. Amadei has no personal relationships with her colleague who used to hold this psychotherapist position, nor with anyone at the Sexual Abuse Treatment Unit at DHHS.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

In reaching this decision, the Commission has relied upon the facts presented by Ms. Amadei in her request for a waiver. The waiver covers the current contractual relationship between Ms. Amadei and subsequent arrangements involving the provision of identical services by Ms. Amadei to SATU, and as long as there is no change to the facts presented by Ms. Amadei in her request.

For the Commission:



Rahul K. Goel, Chair